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DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION
ON PETITION

In re Application of:
Upendra Chaudhari, et al.
Application No. 09/593,275
Filed: June 13, 2000
For: SPEAKER RECOGNITION METHOD
BASED ON STRUCTURED SPEAKER
MODELING AND A "PICKMAX" SCORING
TECHNIQUE

This is a response to the request for Reinstatement filed April 13, 2004 which is treated as a petition to Withdraw Holding of Abandonment pursuant to 37 CFR 1.181. No fee is required.

*The petition is **granted**.*

This application became abandoned for failure to timely file a response to the February 3, 2003 Office action, which set a shortened statutory period of three (3) months to reply. That period lapsed without reply, rendering this application abandoned as of May 3, 2003. A Notice of Abandonment was mailed on February 23, 2004.

Petitioner alleges to have timely filed an amendment in response to the Office action. To support this position, Petitioner has included with this petition a copy of the reply, which consisted of an amendment, a petition for three (3) months of extension of time, and a request to change correspondence address. Each piece of the correspondence included with the petition includes a certificate of mailing under 37 CFR 1.8(a).

37 C.F.R. § 1.8(b) states that in the event that correspondence is considered timely filed by being mailed or transmitted in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:

- (1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence,
- (2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate, and
- (3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Commissioner to the previous timely mailing or transmission. If the correspondence was sent by facsimile transmission, a copy of the sending unit's report confirming transmission may be used to support this statement.

The petition meets the requirements set forth above. Accordingly, the Notice of Abandonment is vacated and the holding of abandonment withdrawn.

The application will be forwarded to the Technology Center's technical support staff for entry of the extension of time, amendment, and change of address. From there, the file will be forwarded to the examiner for consideration in due course.

Dwayne D. Bost
Special Program Examiner
Technology Center 2600
Communications